

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NICHOLAS MERRILL,

Plaintiff,

v.

14 CIV. 9763 (VM)

ERIC HOLDER, Jr., in his official capacity as
Attorney General of the United States, and
JAMES B. COMEY, in his official capacity
as Director of the Federal Bureau of
Investigation,

Defendants.

~~SEALED~~

SECOND DECLARATION OF JONATHAN MANES

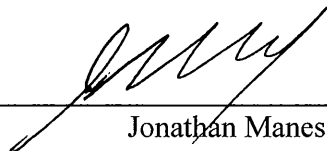
I, Jonathan Manes, hereby declare:

1. I am a supervising attorney and clinical lecturer in the Media Freedom and Information Access Clinic at Yale Law School, which represents Nicholas Merrill in the above-captioned litigation. I submit this supplemental declaration in order to introduce two additional exhibits that are relevant to plaintiff's opposition to the defendants' Motion to Dismiss or for Summary Judgment, and to plaintiff's Motion for Summary Judgment.

2. Attached hereto as Exhibit A are true and correct excerpts from H. Marshall Jarrett & Michael W. Bailie, Dep't of Justice, *Searching and Seizing Computers and Obtaining Electronic Evidence in Criminal Investigations* (2009). An additional excerpt from this source was attached as Exhibit L to the first Declaration of Jonathan Manes. ECF No. 20-12.

3. Attached hereto as Exhibit B is a true and correct copy of the U.S. Department of Justice's United States Attorneys' Manual § 9-7.500, as published online at the following address: <http://www.justice.gov/usam/usam-9-7000-electronic-surveillance#9-7.500>.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 11, 2015, at New Haven, CT.



Jonathan Manes